

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPELLANT: Y. Kii CONF. NO.: 3397
U.S. SERIAL NO.: 10/797,743 EXAMINER: J. Repko
FILED: March 9, 2004 GROUP: 2628
FOR: METHOD AND APPARATUS FOR HIGH-SPEED SHADOWING
USING SHADOW VOLUMES

Mail Stop Appeal Brief—Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY BRIEF TO EXAMINER'S ANSWER

Sir:

The following is in reply to the Examiner's Answer mailed May 28, 2008, in connection with the appeal of the above-referenced application.

This Reply Brief is being filed within two months of the mailing date of the Examiner's Answer. As such, this Reply Brief should be considered timely filed.

The following responds to remarks made in the "Response to Argument" section on pages 16-19 of the Examiner's Answer regarding the arguments included in the Appellant's Appeal Brief filed on March 3, 2008.

In response to Appellant's argument that the Shimizu reference does not teach or suggest a graphic processing apparatus or method in which a hidden surface removal process is performed for "obtaining a coordinate region that is positioned behind the front-facing shadow polygons and in front of the back-facing shadow polygons," as recited in independent claims, 1, 4, and 9, the Examiner did not address this argument. Instead, the Examiner mischaracterized the Appellant's arguments as only relating to the claimed "coordinate region."

As discussed on pages 6-7 of the Appeal Brief (subheading I), there is no teaching or suggestion in the Shimizu reference of performing a hidden surface removal process in order to obtain a coordinate region that is positioned behind the front-facing shadow polygons and in front of the back-facing shadow polygons.

As further discussed in the Appeal Brief, the passages of Shimizu cited by the Examiner (i.e., column 18, lines 49-51 and column 21, lines 25-27, as cited on page 4, paragraph iii of the Final Office Action), do not address any hidden surface removal process used for obtaining the claimed "coordinate region."

Instead, as discussed on pages 7-8 of the Appeal Brief (subheading II), the Shimizu reference discloses a "layer by layer" processing, which does not correspond to the Appellant's claimed hidden surface removal process used for obtaining a coordinate region that is positioned behind the front-facing shadow polygons and in front of the back-facing shadow polygons.

In other words, Appellant's claimed invention requires that a hidden surface removal process is performed to obtain a coordinate region that is positioned behind the front-facing shadow polygons and in front of the back-facing shadow polygons, which is neither taught nor suggested by the Shimizu reference.

Further, on page 17, lines 14-19 of the Examiner's Answer, the Examiner referred to column 22, lines 1-24 of Shimizu. The layer by layer processing of Shimizu is described, e.g., from column 21, line 30 to column 23, line 20. This type of processing, in which entire layers of data are peeled off (see, e.g., column 21, lines 30-48 of Shimizu), does not correspond to the Appellant's claimed "hidden surface removal," in which hidden objects are not displayed.

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The layer-by-layer processing described in Shimizu simply is not equivalent to the Appellant's claimed hidden surface removal process, and does not result in the claimed coordinate region that is positioned behind the front-facing shadow polygons and in front of the back-facing shadow polygons.

There is no fee required for the submission of this Reply Brief. However, if, for any reason, a fee is deemed to be required, the Commissioner is hereby authorized and requested to charge Deposit Account No. **04-1105**.

Respectfully submitted,

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